

**Chapter 17.38****TEMPORARY RENTAL OF MOBILE HOMES IN MOBILE HOME PARKS**

(3277-5/95)

**Sections:**

- 17.38.010 Findings and purpose
- 17.38.020 Temporary rental of mobile home
- 17.38.030 Severability

**17.38.010 Findings and purpose.** The City Council finds that various mobile home parks prohibit the owner of a mobile home from renting it for any period of time, and that such non-rental rules from time to time impose hardships on owners of mobile homes who are unable to reside in their mobile homes, but are held liable for the space rental and upkeep of their mobile home while it is vacant and until the mobile home can be sold or otherwise re-occupied. It is the purpose of this Chapter to alleviate hardships on such owners who are unable to reside in their mobile homes by allowing the temporary rental of the mobile home for a reasonable period required for the owner to sell or re-occupy the mobile home. (3277-5/95)

**17.38.020 Temporary rental of mobile home.** It shall be unlawful for any person to prohibit an owner of a mobile home in a mobile home park from renting that mobile home under the following circumstances: (3277-5/95)

- (a) An owner of a mobile home who has resided therein for at least a one (1) year period prior to the vacancy that necessitates renting the mobile home is unable to continue to occupy the mobile home either temporarily or permanently by reason of 1) illness, 2) death, or 3) other personal hardship. (3277-5/95)
- (b) An owner of a mobile home who has resided therein for at least a one (1) year period prior to the vacancy that necessitates renting the mobile home can no longer continue to meet the rules of occupancy of a mobile home park by reason of a change of circumstances. (3277-5/95)
- (c) A non-institutional owner or person in a fiduciary capacity who has received ownership of, or the possessory right to, a mobile home through probate, bankruptcy or foreclosure, or the owner's incapacity, and requires time to arrange for the sale of the mobile home, or to arrange for occupancy of the mobile home by the owner. (3277-5/95)
- (d) Hereafter, "Renter" refers to the person or persons who pay rent to the mobile home owner in exchange for the temporary right to reside within the subject mobile home (and the related right to occupy the space upon which the mobile home is located), but not as a co-occupant with the owner. Any renter of a mobile home must meet all the rules of occupancy of the mobile home park in which the mobile home is located with the exception of any rule which directly or indirectly prohibits, in conflict with this section, the temporary rental of a mobile home for up to one year. Prior to the mobile home renter's taking occupancy, that renter and the mobile home owner shall provide the park owner with: (3277-5/95)

- (1) A copy of the mobile home rental agreement; (3277-5/95)
- (2) the true names of all intended occupants and their residential phone number; (3277-5/95)
- (3) business phone numbers for all adult occupants who have such numbers; (3277-5/95)

and

- (4) an agreement signed by all adult occupants which reads as follows: (3277-5/95)

*I have received copies of the lease between the park owner and the home owner for Space # \_\_\_\_\_ and current park rules. I have read those documents with care. I believe I understand them. I believe that I qualify for occupancy under those rules and the master lease (except for provisions prohibiting subleasing). I agree to abide by those Park Rules and to meet all obligations of that master lease which are relevant to an occupant. I understand that the park owner may directly enforce the within agreement against me without giving up any rights against the mobile home owner.*

- (e) Such temporary rentals authorized by this chapter may not exceed twelve (12) months in any two (2) year period subject to renewal because of continued hardship. (3277-5/95)

**17.38.030 Severability.** If any provision of this Chapter or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Chapter which can be given effect without the invalid provision or application, and to this end the provisions of this Chapter are severable. (3277-5/95)